



I Semester LL.M. Examination, December 2013
Paper – 3 : LEGAL THEORY

Duration : 3 Hours

Max. Marks : 80

Instructions: 1. Answer **all** questions.
2. Figures to the **right** indicate marks.

- Q. No. 1. (a) i) What is natural law ? Explain St. Thomas Aquinas theory of natural law. Marks : 10
OR
ii) Examine social contract theories of natural law and natural rights.
- (b) i) Explain briefly the idea that “ an unjust law is no law”. Marks : 6
OR
ii) Discuss briefly natural law as the basis of modern Human Rights.
- Q. No. 2. (a) i) Examine with reference to Dwarkin’s criticisms on H. L. A. Hart’s concept of law. Marks :10
OR
ii) Comment on Hans Kelsen’s pure theory of law.
- (b) i) State salient features of Austin’s theory of law. Marks : 6
OR
ii) Write a note on Bentham’s notion of sanctions.
- Q. No. 3. (a) i) Examine Henry Maines contribution to anthropological school of law. Marks :10
OR
ii) Critically examine Marxian notion of “class character of law” and “withering away of state and law”.
- (b) i) Write a note on Volkgeist. Marks : 6
OR
ii) Early history of law crimes.

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Q. No. 4. (a) i) Examine Roscoe Pound's theory of interests.

Marks : 6

OR

ii) Discuss Eugen Erlich's contribution to sociology of law.

(b) i) Write a note on utilitarianism.

Marks : 6

OR

ii) Explain briefly the doctrine of social solidarity.

Q. No. 5. (a) i) Examine the circumstances leading to the emergence of realist movement in America.

Marks : 10

OR

ii) Critically evaluate Karl Olivercrona's theory of law.

(b) i) Write a note on fact skeptics.

Marks : 6

OR

ii) Briefly explain Ross's theory of law.
